

Public Chapter 242

HOUSE BILL NO. 1107

By Representatives McDonald, Williams, Bowers, Pleasant, Haley, Hargett, Bone, Givens

Substituted for: Senate Bill No. 1327

By Senators Graves, Springer, Davis

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 10, relative to a person's duty to move a vehicle from a controlled access highway and a multilane highway in the event of an accident.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 10, Part 1, is amended by adding the following new section:

(a) Notwithstanding any provision of law to the contrary, a motor vehicle involved in a traffic accident and the driver of such motor vehicle shall be subject to the provisions of this section.

(b) This section shall apply to any motor vehicle traffic accident which occurs on a divided, controlled access highway or interstate highway of this state.

(c) When a motor vehicle traffic accident occurs with no personal injury, death, or extensive property damage, the driver of each motor vehicle involved in such traffic accident, or any other occupant of any such motor vehicle who possesses a valid driver's license may remove the vehicle from the immediate confines of the roadway into a safe refuge on the shoulder, emergency lane, or median or to a place otherwise removed from the roadway whenever such moving of a vehicle may be done safely and the vehicle is capable of being normally and safely driven, does not require towing, and may be operated under its own power in its customary manner without further damage or hazard to itself, to the traffic elements, or to the roadway. The driver of such motor vehicle may request any person who possesses a valid driver's license to remove such motor vehicle as provided in this section, and such person may comply with such request.

(d) The driver or any other person who has removed a motor vehicle from the main traveled way of the road as provided in subsection (c) before the arrival of a law enforcement officer shall not be considered liable or at fault regarding the cause of the accident solely by reason of moving the vehicle pursuant to this section.

(e) This section does not abrogate or affect a driver's duty to file any written report which may be required by law, but compliance with the requirements of this section does not allow a driver to be prosecuted for the failure to stop and immediately report a traffic accident.

(f) This section does not abrogate or affect a driver's duty to stop and give information in accordance with law, nor does it relieve a law enforcement officer of the officer's duty to render a report in accordance with law.

SECTION 2. This act shall take effect July 1, 1997, the public welfare requiring it.